1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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SUMMARY RECORD OF THE 12th MEETING

Held at United Nations Headquarters, New York,
on Tuesday, 25 April 1995, at 10 a.m.

President:	Mr. DHANAPALA	(Sri Lanka)
later:	Mrs. KUROKOCHI (Vice-President)	(Japan)

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The meeting was called to order at 10.25 a.m.

GENERAL DEBATE (continued)

1. Mr. PALSSON (Iceland) said that although the end of the arms race had released new resources in the service of peace and solidarity of peoples, the international community had yet to break with the legacy of the cold war. Huge quantities of nuclear weapons still remained in the arsenals of rich countries and poor countries alike. There were tens of thousands of nuclear warheads and over a dozen States possessed ballistic missiles.

2. The Non-Proliferation Treaty was the key to efforts to remedy that situation. The Treaty was unlike any other arms control treaty; it was the only legally binding instrument of global application prohibiting the spread of nuclear arms. To throw its future into doubt would be to risk unravelling the non-proliferation regime and system of safeguards and would weaken the incentives for nuclear powers to undertake further disarmament measures. Iceland therefore believed that the Treaty should be extended indefinitely and without conditions. Only thus would it be possible to prevent further proliferation and give substance to the commitment undertaken by the nuclear-weapon States, when signing the Treaty, to pursue negotiations in good faith relating to nuclear disarmament.

3. Extending the Treaty for an unlimited period would not be sufficient. It would also be necessary to adopt a comprehensive nuclear-test-ban treaty and an instrument prohibiting the production of fissile materials for nuclear weapons. Non-proliferation also required a continuous multilateral effort which must extend to the technology and materials necessary for the production of weapons of mass destruction and their delivery systems. In that connection, Iceland attached great importance to the objectives and guidelines of the Missile Technology Control Regime.

4. The lessons of the Chernobyl accident must also be borne in mind. Iceland welcomed the efforts being made by the International Atomic Energy Agency (IAEA) to ensure the safety of radioactive waste and the growing role it was playing in general in the area of nuclear safety and radiological protection. His delegation remained concerned, however, at the discharge into the sea of radioactive waste, which was then carried by ocean currents into the territorial waters of other States.

5. He concluded by pointing out that there was much more at stake than the technical and legal aspects of the review and extension of the Treaty. If the Conference was a failure, the international community would be condemned, like Sisyphus, to toil forever to roll the stone to the top of the hill, only to see it roll down again.

6. Mr. POPOV (Republic of Moldova) said that the Conference, which coincided with the fiftieth anniversary of the United Nations was destined to play a major role, as evidenced by the breadth of its preparatory process and by the fact that its topics had occupied a central place in the discussions of the First Committee of the General Assembly during the latter's forty-ninth session and

during the deliberations of the Conference on Disarmament. The proliferation of nuclear weapons and other weapons of mass destruction was one of the main factors likely to increase security fears, and it was imperative to put a stop to it. The Treaty, because of its many merits, would best serve the fundamental interests - economic as well as security - of all States. That was why the Republic of Moldova had acceded to that important instrument as a non-nuclear-weapon State. Accordingly, it had undertaken not only to forego the use of nuclear weapons but also to conclude a safeguards agreement with IAEA.

7. He also pointed out that his country's new constitution contained provisions affirming its neutrality and prohibiting the presence, on its territory of foreign military forces, and bases that could be equipped with weapons of mass destruction, including nuclear weapons. The Republic of Moldova considered that only indefinite and unconditional extension of the Treaty could effectively halt nuclear proliferation and assure the conditions necessary for progressive disarmament.

8. Reviewing other arguments in favour of indefinite extension, he said that, since there were now 178 States parties to the Treaty and all the continents were covered, the Treaty was almost universal in nature. He also welcomed the recent adoption by the Security Council of resolution 984 (1995) and the individual statements made by the five nuclear Powers concerning security assurances. Those Powers had given both negative and positive security assurances, bringing the decision to extend the Treaty indefinitely one step closer.

9. Continued reduction of arsenals leading eventually to the total elimination of atomic weapons and the conclusion, in the near future, of a comprehensive nuclear-test-ban treaty and an instrument prohibiting the production of fissile material would also contribute greatly to the strengthening of a permanent, legally binding non-proliferation regime.

10. Pointing out that it would be very difficult to strengthen such a regime without effective and transparent monitoring and control, he said that the measures envisaged in the international system must also cover illicit trafficking in nuclear materials, a phenomenon that had acquired singular importance, particularly in the area corresponding to the territory of the former Soviet Union. In order to put an end to it, States must establish effective border inspections; those were currently lacking. The relevant international organizations could play a decisive role in that regard.

11. Mr. VALENCIA RODRIGUEZ (Ecuador) said that at the time the Treaty was negotiated, the world had been going through one of the most critical periods of the cold war. Since its aim was to achieve a balance of nuclear terror it had not aspired to perfection. And yet, it was in part thanks to the Treaty that the world had become a safer place. For example, there had been a considerable reduction in nuclear arsenals - although they were still too large - and appreciable progress had been made in the field of disarmament thanks, in particular, to the SALT I and SALT II Treaties and to the fact that the nuclear Powers had declared a moratorium on nuclear tests.

12. And yet much still remained to be done. It was imperative to move quickly to conclude a universal, multilateral and effectively verifiable comprehensive nuclear-test-ban treaty. Progress made in that matter in the Conference on Disarmament inspired him to believe that that could be achieved in the relatively near future; in the meantime, the nuclear-weapon States should extend their moratorium on testing.

13. It was also necessary to conclude a treaty prohibiting the production, possession and marketing of fissile material; it should be non-discriminatory, multilateral and internationally verifiable and effective. It was also necessary to put an end to illicit trafficking in radioactive material, the consequences of which could not be predicted.

14. With regard to the essential issue of positive and negative security assurances which the nuclear-weapon States could offer the non-nuclear-weapon States, Security Council resolution 984 (1995) was a positive step in the right direction; however, the security assurances it mentioned should be included in an instrument binding on all those States.

15. As some States, particularly those States with the capacity to develop nuclear energy for military purposes, had not yet acceded to the Treaty, efforts must be made to promote its universality. That was particularly important since the technical knowledge and means needed in order to produce nuclear weapons were becoming increasingly accessible.

16. It was fundamental to strengthen nuclear-weapon-free zones. In particular, the prompt entry into force of a denuclearized zone in Africa was indispensable.

17. In accordance with the provisions of the Non-Proliferation Treaty, true international cooperation should result in the non-discriminatory transfer of nuclear technology for peaceful purposes.

18. Although considerable progress had been made since the conclusion of the Non-Proliferation Treaty, the IAEA safeguards regime should be respected and strengthened. The Conference should address that issue.

19. Lastly, measures should be taken to protect and preserve the environment, especially from activities related to the elimination of nuclear arsenals.

20. More generally, his Government did not believe that the Treaty was an end in itself, nor that it should seek to perpetuate the possession of nuclear weapons by a small number of States, but that its purpose was to promote and guarantee international peace and security through nuclear disarmament, as a fundamental step towards achieving general and complete disarmament. A climate of mutual trust and authentic international cooperation must be established. Accordingly, nuclear-weapon States should feel bound by a permanent commitment to pursue their nuclear disarmament, while non-nuclear-weapon States should not feel fearful for their security. It was also indispensable to continue the practice of convening five-year review conferences to verify fulfilment of the obligations deriving from the Treaty, particularly those under article VI.

21. In the light of all those factors, Ecuador favoured indefinite extension of the Treaty and hoped that the States parties would adopt a decision to that effect by consensus or by a broad majority.

22. Ms. KUROKOCHI (Japan), Vice-President, took the Chair.

23. Mr. SENILOLI (Fiji) said that while the Non-Proliferation Treaty had received broad support, it must become universal if the spread of nuclear weapons was to be prevented.

24. The task of creating a climate of confidence rested with the nuclear-weapon States since is was they that bore primary responsibility for disarmament and, in particular, for denuclearization. At a time when there was relative peace and a reduction in international tension, the pace of disarmament negotiations must be accelerated. Reduction or destruction of obsolete and excess nuclear-weapons capacity was not enough. There must be deeper and more meaningful cuts which demonstrated a clear commitment to substantial denuclearization. Voluntary and permanent cessation of all nuclear tests would be an important step in that direction. In that regard, while Fiji noted the progress being made towards the conclusion of a comprehensive test-ban treaty, it was deeply disturbed at reports that the current three-year moratorium on testing was likely to be discontinued by some States.

25. The provisions of the Treaty concerning the peaceful uses of nuclear technology were equally important. In that connection, articles IV and V must be fully and properly implemented. Those articles provided an incentive against the development and possession of nuclear technology that might be open to use for non-peaceful purposes.

26. Article VII of the Treaty deserved special attention, in that it provided for the possibility of concluding regional agreements on the creation of nuclear-weapon-free zones. Fiji was a party to the Rarotonga Treaty establishing a nuclear-weapon-free zone in the South Pacific. The protocols to that Treaty required the nuclear-weapon States to give certain undertakings. The States parties were gratified that China and the Russian Federation had signed Protocols 2 and 3. However, they very much regretted that the remaining three nuclear Powers had not as yet signed any of the protocols, and they urged them to do so. Nuclear-weapon-free zones were an effective means of curbing the spread of nuclear weapons and contributed significantly to the security of the States that belonged to them. All those who supported and championed the cause of the Non-Proliferation Treaty should ensure that the treaties that had given rise to such zones were respected.

27. Turning to the object of the present Conference, the issue was not whether the Non-Proliferation Treaty had made the world a safer place and whether it should be extended and for how long, but whether all aspects of the Treaty had been faithfully implemented and, more particularly, whether the nuclear-weapon States had discharged their duties and obligations under the Treaty in a manner that enabled the non-nuclear-weapon States to feel confident about their fulfilment in the future.

28. With that in mind and given the tangible and concrete contribution that the Treaty had made to preventing the large-scale spread of nuclear weapons, Fiji supported indefinite extension of the Treaty and hoped that the Conference would reach an agreement to that effect by consensus.

29. Mr. OWADE (Kenya) said that his country had been among the first to sign, and subsequently, ratify, the Non-Proliferation Treaty and had fulfilled its obligations as a State party faithfully. The Treaty was sui generis in several respects. Among other things, it had a limited lifespan and it created unequal rights and obligations for nuclear-weapon and non-nuclear-weapon States. Nevertheless, it was the cornerstone of the international non-proliferation regime, having the largest number of States parties of any arms control treaty. The expectation of the majority of States parties had been that it would lead to comprehensive nuclear disarmament.

30. Kenya believed that before taking a decision on the question of extending the Treaty, the Conference must take serious stock of the Treaty's successes, failures and weaknesses. To agitate for indefinite extension without first making that objective assessment would be putting the cart before the horse. Such a decision must, of course, be linked to an evaluation of the specific progress made towards the goals set forth in article VI of the Treaty.

31. Many delegations were concerned that while significant progress had been made in certain areas, none of the targets set in the preamble to the Treaty had been fully met. His delegation was particularly disappointed that the negotiations in the Conference on Disarmament had produced little evidence of progress towards the conclusion of a comprehensive test ban treaty. It had been argued that the progress in those talks could be characterized as a partial success or a partial failure, depending on which perspective one took. However, the truth was that a delay of a quarter of a century could hardly be considered the "early date" stipulated in the Treaty for the conclusion of a comprehensive test-ban treaty and the cessation of the nuclear-arms race.

32. Turning to security assurances, his delegation wished to recall that the General Assembly had consistently maintained that there was an urgent need to reach early agreement on effective international arrangements to safeguard non-nuclear-weapon States against the use or threat of nuclear weapons. The best approach would be to work towards early agreement on a common formula that could be included in a legally binding international instrument, as called for in General Assembly resolution 49/73. Disagreement over that issue had been one of the reasons for the failure of the 1980 and 1990 review conferences to adopt final declarations.

33. On the eve of the present Conference, the nuclear-weapon States had made a belated attempt to fulfil their obligations by initiating Security Council resolution 984 (1995), on positive security assurances, and by making individual declarations on negative assurances. Those initiatives were to be welcomed, but the fact remained that Security Council resolution 984 (1995) did not add much to previous resolutions and did not explicitly address the question of negative assurances. In Kenya's opinion, the only definite assurance against the use or threat of use of nuclear weapons was their total elimination. Pending that, such assurances should take the form of a legally binding instrument.

34. For the Treaty to achieve full universality, it was imperative that States which possessed nuclear weapons should all be parties to it and be subject to the IAEA regime. States which had opted not to accede to the Treaty should not benefit from any transfer of technology for peaceful nuclear uses which, under the Treaty, was intended only for States parties.

35. With regard to compliance with the provisions of the Treaty, his delegation would like the capacity of the IAEA to be strengthened to enable it to cope with its responsibilities, and in particular those relating to the transfer of technology. All States parties should have access, on an assured and predictable basis, to the peaceful applications of nuclear technology. The IAEA should be enabled to extend technical assistance without any constraints.

36. His delegation wished to put on record its commitment to regional initiatives. It awaited the conclusion of the treaty making Africa a nuclear-weapon-free zone, which was currently being finalized. It also welcomed the Treaty of Tlatelolco and looked forward to an acceleration of the peace process in the Middle East that would facilitate the establishment of a nuclear-weapon-free zone in that region. It likewise welcomed the exemplary gesture made by South Africa in deciding to destroy its nuclear weapons and become a party to the Treaty. But in the African region, it was light weapons that were killing hundreds of thousands of people. His delegation therefore appealed to the international community to support the Secretary-General's efforts in what he had described as "micro-disarmament" in his supplement to an Agenda for Peace (A/50/60-S/1995/1).

37. The Conference must avoid the temptation to over-simplify the issues before it. The Non-Proliferation Treaty had not been intended to be a permanent treaty. Contrary to the view that had been expressed by several delegations, to fulfil the wishes of millions of human beings it was not enough to extend the Treaty indefinitely; it was necessary to ensure that its objectives were being achieved. In particular, the periodic review mechanism must be maintained and strengthened. Moreover, the question of extension was so important that any decision on it should be reached by consensus, so that the Treaty could move into the future with the full confidence of all States parties.

38. His delegation would work with other delegations with a view to reaching a consensus which could take the form of a long-term "rolled-over" Non-Proliferation Treaty on the lines originally intended. Any contrary decision would undermine the confidence which the international community so sorely needed as it faced the next century.

39. Mr. LEGWAILA (Botswana) said that the Non-Proliferation Treaty was the only multilateral treaty in its field which enjoyed nearly universal adherence, and that was due to the extreme gravity of the nuclear threat. The motive for Botswana's accession to the Non-Proliferation Treaty, and no doubt that of other States parties, was the inhuman and indiscriminate mass destruction which could be visited upon mankind by the use of nuclear weapons.

40. As was clear from article IV of the Treaty, the renunciation of acquisition or possession of nuclear weapons and the technology to develop such weapons by the non-nuclear-weapon States was not a renunciation of access to nuclear

technology for purposes other than military. In that connection, those States parties were not at all satisfied with the current level of nuclear technology transfers for peaceful uses. Without advocating the elimination of all conditions governing access to such technology they believed that, where a party had agreed to put in place a mechanism such as the IAEA safeguards, the benefits envisaged and recognized under article IV should accrue to such a party without prejudice.

41. The sterling efforts made by the non-nuclear-weapon States would not rid the world of the scourge of nuclear weapons without a corresponding commitment on the part of nuclear-weapon States to honour their part of the bargain. Major strides would have to be made in various areas of nuclear disarmament if the Treaty was to continue to engender confidence among non-nuclear-weapon States. Those States had made a significant contribution to the application of the Treaty. Not only had they chosen to forego acquisition of nuclear weapons but their almost religious adherence to the spirit and the letter of the Treaty had strengthened world security, and they had honoured their commitments without fail.

42. Since the entry into force of the Treaty, one of the major concerns of the non-nuclear-weapon States had been to obtain security assurances from the nuclear-weapon States. By renouncing possession of nuclear weapons, the non-nuclear-weapon States had foregone a sovereign right. They had foregone the right to self-defence. They had, in fact, renounced the possibility of responding in kind in the event of a nuclear attack. Their right to protection against those weapons must therefore be recognized.

43. Botswana appreciated that Security Council resolution 984 (1995) was a step in the right direction, but its preference would have been for a legally binding international instrument committing the nuclear-weapon States not to use or threaten to use nuclear weapons against non-nuclear-weapon States. The reluctance of the nuclear-weapon States to work towards the adoption of such an instrument would remain a source of suspicion as to their real intentions.

44. To be genuinely engaged in a process of nuclear disarmament, certain key areas in the nuclear weapon industry had to be targeted. There should be a total ban on all forms of nuclear-weapon testing. The self-imposed moratoriums were a welcome development, but a final solution was not yet in sight. The best solution would be to conclude a comprehensive test-ban treaty at an early date. His delegation noted that negotiations had begun in the Conference on Disarmament but the process was painfully slow, and one wondered if the nuclear-weapon States were really committed to their success. There was an equally urgent need to conclude a treaty banning the production of weapons-grade fissile material. Most of the previous speakers had alluded to the dangers posed by the continued production of such material. It not only added to the dangers of the proliferation of nuclear weapons but it also encouraged the illegal trade in fissile material, even by individuals or dissident groups.

45. The most important step to be taken to enhance nuclear disarmament was the implementation of article VI of the Treaty. The very existence of nuclear weapons made humankind captive to its own creation. Because of their devastating effects they should never be used. The Non-Proliferation Treaty

offered humankind a chance of freedom from that bondage. States parties need only honour the commitments and obligations they had undertaken and the threat would ultimately become a thing of the past. However, it was mainly the task of the nuclear-weapon States to earnestly engage in the process of nuclear disarmament. Botswana hoped that the concern of the non-nuclear-weapon States vis-à-vis the Treaty would be considered with due seriousness and that their genuine desire for protection against the use or threat of use of nuclear weapons would be fully met.

46. His country was in favour of the indefinite extension of the Treaty. The concerns it had expressed were a reaffirmation of the commitment of the parties to the Treaty and did not in any way constitute conditionalities.

The meeting rose at 11.35 p.m.